

CASE NO. 11 cv. 2938

ATTACHMENT NO. 1

EXHIBIT

TAB (DESCRIPTION)

plaintiff the fundamental fairness due to him per the U.S. and Illinois constitutions. This grievance somehow was also labelled a duplicate to grievance # 1760 as well, although it is not.

Also, out of the alleged five offenders involved with this alleged incident, only two offenders received (IDR's) presented with charges of 105: Dangerous Disturbance and 205: STG/Unauthorized Organizational Activity. Needless to say that the (IDR) as well as confidential sources referred to all parties involved as STG members.

However, the only other alleged involved party to receive these charges was Mr. Jaber Wilson, whom appealed the charges and the A.R.B. on 12-08-2009 dismiss/expunged the summary/report from Mr. Wilson's record; All due to non-compliance with Department Rule 504.80 (rationale/confidential sources). (see exhibits #12, #2, #3, #4, #5, #8, and #26)

In the next instance, grievance # 6 from 8-08-2009, is in regards to the Adjustment committee's continuance of plaintiff's hearing, the basis for decision as well as the evidence and testimony considered.

Herein plaintiff contends that, after plaintiff refuted all of the alleged allegations against him during the hearing, the chairperson saw fit to continue plaintiff's

hearing in order to produce a witness whom would place plaintiff on the location of the alleged incident. Being so, the chair person after being informed by plaintiff and L.T. King that plaintiff did not work in E-house, that plaintiff was in fact one of L.T. King's barbers in E-house segregation unit, used false testimony supplied by Sergeant Palmer, whom basically stated that plaintiff sometimes helped as a cellhouse worker in E-house on the 3rd shift.

It is clear that the chair person had an objective to seek out a false statement to confirm the reporting officer's fabrication, instead of reviewing the facts being that L.T. King's statement, the OTS, sheet, as well as the plaintiff statement clearly showing plaintiff's innocence of all allegations.

However, Sergeant Palmer's statement not only contradicted the reporting officer and the (IDR) Sergeant Palmer's off days were at that time on Tuesdays and Wednesdays, being that 6-09-2009 the alleged date of the initial fight/incident in total, Sergeant Palmer could not have been a valid witness because he was not even at work. Along with the fact that it is now alleged that I did not work in the cellhouse, but was let out of my cell without authorization according to security protocol. I was assigned as an F-house barber not on

1 2

E-house worker. This is just another lie supplied by Stateville officials. (See also where this grievance was clearly labelled as a duplicate to grievance #1847 when in fact it is not.) (See exhibits #3, #9, #7, and #13; #15)

In conclusion plaintiff prays that this Honorable Court understands that plaintiff's details were only supplied as a means of giving this Court a clear understanding of the neglect in this cause.

Inasmuch, this action is being brought forth solely due to plaintiff being denied his right to redress of grievances which is a right of his afforded to him by way of the U.S. Constitution and Illinois Constitution as well. Also, prays that this Honorable Court acknowledges the injury that plaintiff suffered and will continue to be afflicted by being labelled apart of a security threat group.

However plaintiff through due diligence sought relief through numerous letters of complaint, grievances, and by having his family call Stateville with complaints of neglect to address his grievances and letters, Plaintiff sent to Stateville officials were also labelled duplicates to grievance #1847. (See exhibits #14, #17-#20, #22, #24, #28, #30, #33, #35, and both #'s 23 and 34.

SUMMATION

When an official is appointed duty as the Director, A.R.B. Coordinator, Warden, or Grievance officer they are allowed to delegate duty(ies) Pursuant and in accordance with their Powers vested in them by the Illinois Constitution and U.S. Constitution, but they are not allowed to relieve themselves of the responsibility of seeing that this plaintiff's attempts to receive redress from the institution grievance procedure and its subsequent appeals are heard and investigated.

The defendants dereliction to duty and failure to investigate and properly answer plaintiff's numerous attempts to resolve this issue have caused this plaintiff to be held subject to cruel and unusual punishment based on his change to his living conditions by Defendant Anthony Ramos placing this plaintiff in the "Gulag", e.g. Segregation Unit, of his facility's institution. The Defendants actions are Negligent and borderline criminal and retaliatory.

As a result of the Defendants Neglect to exercise their duty(ies) impartially in reviewing plaintiff's grievances plaintiff was forced to serve unlawfully six months in segregation. Which led to plaintiff's contraction of a skin/fungus infection directly related to my conditions of confinement

in segregation for exercising my same due process rights to redress from false disciplinary action taken against me.

In conjunction to plaintiff's status being changed and labelled as a security threat group member, which has already and will continue to determine plaintiff treatment and placement while in (I D OC).

These Defendants actions of simply placing their signatures or delegates placing their signatures, on plaintiff's numerous letters, requests, prayers, and grievances as well as labelling them all duplicates, are a blatant violation of this plaintiff's 6th, 14th, 8th, and 14th rights afforded to him under this state's constitution and this country's constitution and have caused this plaintiff irreparable harm and damage.

Plaintiff begs this Honorable Court to acknowledge I Doc's failure to exercise uniform treatment, with Mr. Jaber Wilson's judgement of grievance, wherein his grievance was dismissed based on a non-compliance to Department Rule 504.80, where it was stated that (rational / Confidential sources) is not in compliance.

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

1.) Reasonable and appropriate compensatory damages arising from the wrongful conduct of all defendants. 2.) Punitive damages from these defendants in the amount to be ascertained at trial. 3.) Cost and expenses obtain as a result of the copies of this filing. 4.) That the (IDR) be expunged and removed from plaintiff file. 5.) That the STG label that's been placed upon plaintiff be removed and non-existent. 6.) That Plaintiff be all a Temporary Restraining order to prevent IDOC from retaliation. 7.) That plaintiff receive a lateral transfer to the Hill C.C. also that a block be implemented to prevent plaintiff from being transferred to Pickensville and Lawrence C.C.

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this _____ day of _____, 20____

Sarah A. Dunlap
8-12-11



Frank Drew
(Signature of plaintiff or plaintiffs)

Frank Drew
(Print name)

K-73514
(I.D. Number)

10930 Lawrence Rd

Sumner, IL 62466
(Address)

EXHIBITS IN SUPPORT OF CIVIL COMPLAINT

- # 1 Investigative Report 6-12-2009
- # 2 Inmate Disciplinary Report (IDR) 7-14-2009
- # 3 Adjustment Committee summary continued 7-15-2009
- # 4 Circuit Court of Cook County Adult Probation Department
Investigative Report, 7-15-2009
- # 5 Adjustment Committee Final summary Report 7-15-2009
- # 6 Counselor Whittington's letter to Plaintiff 8-05-2009
- # 7 OTS (Offender Tracking System) 8-05-2009
- # 8 Grievance #1.) #1760 code 504.50 8-07-2009
- # 9 Grievance #2.) #1894 Back dated (IDR) ^{Duplicate} 8-07-2009
- # 10 Grievance #3.) 504.50 Duplicate to #'s 1760, 1894 8-07-2009
- # 11 Grievance #4.) 504.60 Duplicate to #'s 1760, 1894 8-07-2009
- # 12 Grievance #5.) 504.80 Duplicate to #1760 8-07-2009
- # 13 Grievance #6.) Adjustment Committee duplicate to #1894 8-08-2009
- # 14 Letter to Grievance officer 8-30-2009
- # 15 Grievance officer response to ¹⁸⁹⁴ ~~1760~~ 9-10-2009
- # 16 Grievance officer response to ¹⁷⁶⁰ ~~1894~~ 9-11-2009
- # 17 Letter to Warden Remos Duplicate to 1894 9-14-2009
- # 18 Letter to Grievance officer to Bass Duplicate to 1894 9-14-2009
- # 19 ^{Deputy Director} Letter to ^{Robert A. Few} ~~1760~~ ~~1894~~ 9-17-2009
- # 20 Letter to Grievance officer Thompson Duplicate to 1894 9-18-2009
- # 21 A.R.B. response to letter sent to ~~1760~~ Deputy Director Few, 9-22-2009
- # 22 Letter to A.R.B. Ms. Hile 11-03-2009
- # 23 Grievance (Failure to answer grievances) Duplicate 11-16-2009
- # 24 Letter to A.R.B. Ms. Hile 12-28-2009

- #25 Grievance of living conditions and injuries. Never answered 12-28-2009
- #26 Mr. Wilson R-34144 Adjustment committee! A.R.B. Decisions 1-17-2010
- #27 A.R.B. response to grievance #1760 1-20-2010
- #28 Letter to Counselor Jill Hosselton 2-17-10
- #29 Counselor Hosselton's response to family calls 3-05-2010
- #30 Plaintiff's response to Ms. Hosselton's letter 3-05-2010
- #31 Ms. Hosselton wrote plaintiff 3-07-10
- #32 A.R.B. response to grievance #1894 3-22-2010
- #33 Plaintiff sent letter to Director Randle. No response 3-25-2010
- #34 Filed second grievance of grievance officers failure to respond, after
- #35 Counselor's response no other response. 4-02-2010
- #36 Letter to Bass, (Bass told plaintiff to send to Thompson) plaintiff did. 4-18-2010
- #37 Letter From Thompson 4-26-10

Type of Report:

☐ Disciplinary ☒ Investigative

Stateville C.C.

Date: 06/12/09

Offender Name: Drew, Frank

ID #: K73514

Observation Date: 06/12/09

Approximate Time: 1:30

☐ a.m.
☒ p.m.

Location: Intel Unit

Offense(s): DR 504: 610 - Investigative Status

Observation: (NOTE: Each offense identified above must be substantiated.) On the above date and approximate time Inmate DREW, FRANK, is being placed under investigative status at Stateville C.C. End of report.

Witness(es):

☐ Check if Offender Disciplinary Continuation Page, DOC 0318, is attached to describe additional facts, observations or witnesses.

E. Aguero	4824	<i>[Signature]</i>	06/12/09	1:36	<input type="checkbox"/> a.m. <input checked="" type="checkbox"/> p.m.
Reporting Employee (Print Name)	Badge #	Signature	Date	Time	

Disciplinary Action:		
Shift Review: <input type="checkbox"/> Temporary Confinement <input checked="" type="checkbox"/> Investigative Status	Reasons: <i>[Handwritten]</i>	
Printed Name and Badge #	Shift Supervisor's Signature (For Transition Centers, Chief Administrative Officer)	Date
Reviewing Officer's Decision: <input checked="" type="checkbox"/> Confinement reviewed by Reviewing Officer Comment: <i>[Handwritten]</i>		
<input checked="" type="checkbox"/> Major Infraction, submitted for Hearing Investigator, if necessary and to Adjustment Committee		
<input type="checkbox"/> Minor Infraction, submitted to Program Unit		
Print Reviewing Officer's Name and Badge #	Reviewing Officer's Signature	Date
<input checked="" type="checkbox"/> Hearing Investigator's Review Required (Adult Correctional Facility Major Reports Only):		
Print Hearing Investigator's Name and Badge #	Hearing Investigator's Signature	Date

Procedures Applicable to all Hearings on Investigative and Disciplinary Reports

You have the right to appear and present a written or oral statement or explanation concerning the charges. You may present relevant physical material such as records or documents.

Procedures Applicable to Hearings Conducted by the Adjustment Committee on Disciplinary Reports

You may ask that witnesses be interviewed and, if necessary and relevant, they may be called to testify during your hearing. You may ask that witnesses be questioned along lines you suggest. You must indicate in advance of the hearing the witnesses you wish to have interviewed and specify what they could testify to by filling out the appropriate space on this form, tearing it off, and returning it to the Adjustment Committee. You may have staff assistance if you are unable to prepare a defense. You may request a reasonable extension of time to prepare for your hearing.

☒ Check if offender refused to sign

<i>[Signature]</i>	Offender's Signature	ID#
S Brown	Badge #	Signature
06/17/09	Date Served	Time Served

☐ I hereby agree to waive 24-hour notice of charges prior to the disciplinary hearing.

Offender's Signature

ID#

(Detach and Return to the Adjustment Committee or Program Unit Prior to the Hearing)

Date of Disciplinary Report

Print offender's name

ID#

I am requesting that the Adjustment Committee or Program Unit consider calling the following witnesses regarding the Disciplinary Report of the above date:

Print Name of witness	Witness badge or ID#	Assigned Cell (if applicable)	Title (if applicable)
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Witness can testify to:

Print Name of witness	Witness badge or ID#	Assigned Cell (if applicable)	Title (if applicable)
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Witness can testify to:

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Offender Disciplinary Report

Type of Report:

x Disciplinary

☐ Investigative

Stateville C.C.

Facility

Date: 7/10/2009

Offender Name: DREW, FRANK

ID #: 73514

Observation Date: 6/11/09

Approximate Time: 3:00

☒ a.m.
☒ p.m.

Location: Stateville C.C. Intel Unit

Offense(s): DR 504:

105: Dangerous Disturbance; 205: STG/Unauthorized Organizational Activity

Observation: (NOTE: Each offense identified above must be substantiated.) On the above date and approximate time, at the conclusion of an

investigation initiated on 6/11/2009, an institutional disciplinary report was issued to inmate DREW, FRANK K73514. On 6/11/2009 this R/O received information from a confidential informant that a physical altercation had taken place between two inmates assigned to E-House, Cell 523. CI stated one of these said inmates was a member of the Gangster Disciples STG while the cellmate was a member of the Vice Lords STG. ~~It is stated the fight between these inmates took place on 6/9/2009.~~ CI stated after these said inmates got into this physical altercation, the GD inmate, along with two other GD members, attempted to get other GD members on 5 gallery (E-House) to fight with members of the VICE LORDS STG. Due to the information received from this CI, E-House was placed on a Level 1 lockdown.

Between the dates of June 11 - June 14, 2009, the Stateville CC Investigation's Unit conducted several interviews of inmates in E-House pertaining to the alleged physical altercation and possible STG related issues. During these interviews, two separate confidential sources provided information that DREW directed members of the VICE LORDS STG, in E-House, to prepare themselves for a possible confrontation

Witness(es):

☒ Check if Offender Disciplinary Continuation Page, DOC 0318, is attached to describe additional facts, observations or witnesses.

R. Tejeda	2816	<i>[Signature]</i>	7/10/2009	2:00	<input type="checkbox"/> a.m. <input checked="" type="checkbox"/> p.m.
Reporting Employee (Print Name)	Badge #	Signature	Date	Time	

Disciplinary Action:

Shift Review: ☒ Temporary Confinement☐ Investigative StatusReasons: *NATIVE*Printed Name and Badge # *WILLIAM LEWIS #607*Shift Supervisor's Signature
(For Transition Centers, Chief Administrative Officer)Date *7/13/09*Reviewing Officer's Decision: ☒ Confinement reviewed by Reviewing OfficerComment: *2-1/2 years on DR 504*☒ Major Infraction, submitted for Hearing Investigator, if necessary and to Adjustment Committee☐ Minor Infraction, submitted to Program UnitPrint Reviewing Officer's Name and Badge # *2816*Reviewing Officer's Signature *[Signature]*Date *7-13-09*☒ Hearing Investigator's Review Required (Adult Correctional Facility Major Reports Only):Print Hearing Investigator's Name and Badge # *S Brown 2793*Hearing Investigator's Signature *[Signature]*Date *7-13-09*

Procedures Applicable to all Hearings on Investigative and Disciplinary Reports

You have the right to appear and present a written or oral statement or explanation concerning the charges. You may present relevant physical material such as records or documents.

Procedures Applicable to Hearings Conducted by the Adjustment Committee on Disciplinary Reports

You may ask that witnesses be interviewed and, if necessary and relevant, they may be called to testify during your hearing. You may ask that witnesses be questioned along lines you suggest. You must indicate in advance of the hearing the witnesses you wish to have interviewed and specify what they could testify to by filling out the appropriate space on this form, tearing it off, and returning it to the Adjustment Committee. You may have staff assistance if you are unable to prepare a defense. You may request a reasonable extension of time to prepare for your hearing.

☐ Check if offender refused to sign

Offender's Signature

ID# *2816*Serving Employee (Print Name) *S Brown*Badge # *2793*Signature *[Signature]*Date Served *7-14-09*Time Served *8:45*☒ a.m.
☒ p.m.☐ I hereby agree to waive 24-hour notice of charges prior to the disciplinary hearing.

(Exhibit #1)
EX #2

ILLINOIS DEPARTMENT OF CORRECTIONS

Offender Disciplinary Continuation Page

Stateville C.C.

Facility

☒ Disciplinary Report ☐ Investigative Report ☐ Disciplinary Summary ☐ Adjustment Committee Summary

Report/Incident Date: 6/41/2009

Incident # (if applicable):

Offender Information:

Offender Name: DREW FRANK

ID #: K73514

Use the space below to provide any additional information.

With members of the Gangster Disciples as a result of the aforementioned physical altercation.

CS 1 stated after the physical altercation took place, DREW was going up and down 5 gallery (E-House) telling members of the VICE LORDS to "get on point" in case there was a confrontation between the GDs and the VLs.

CS 2 stated an inmate by the nickname of BABY C came onto 5 gallery telling members of the VICE LORDS "to get on point" in case the VICE LORDS had to fight with members of the GDs. CS stated the reason BABY C was telling the VICE LORDS "to get on point" (meaning to prepare themselves) was due to the physical altercation the GD and VL member had while in their assigned cell.

According to OTS, "BABY C" is a nickname utilized by DREW. Although OTS shows that DREW was lived on one gallery at the time of this incident, OTS also shows that DREW was assigned as a cell house worker at the time of this incident. OTS also identifies DREW as a member of the Conservative VICE LORDS STG.

Due to the CI (CI has been proven reliable in the past) and CS information obtained during this investigation, DREW is in violation of the following 504 offenses:

105: Dangerous Disturbance - DREW was identified directing members of the VICE LORDS (on E-House 5 gallery) to prepare themselves for a possible confrontation with members of the Gangster Disciples due to a GD and a VL getting into a physical altercation. DREW's actions seriously endangered this facility and caused E-House to be placed on a Level 1 lockdown.

205: STG/Unauthorized Organizational Activity - DREW was identified engaging members of the VICE LORDS STG to engage in Security Threat Group activities which have been deemed to be a threat to the security of this institution. This STG activity was another cause for E-House to go on a Level 1 lockdown.

DREW, FRANK K73514 was properly identified via the IDOC Institutional Graphics System.

The names and identities of the confidential informant/sources are being withheld due to safety and security of this institution.

End of report.

7-10-2009 Frank Drew K-73514

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OFFICE OF
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(EXHIBIT # 3)

ADJUSTMENT COMMITTEE FINAL SUMMARY REPORT

Name: DREW, FRANK

IDOC Number: K73514

Race: BLK

Hearing Date/Time: 7/15/2009 11:44 AM

Living Unit: STA-F -01-55

Orientation Status: N/A

Incident Number: 200901391/1 - STA

Status: Continued Final

Date	Ticket #	Incident Officer	Location	Time
6/11/2009	200901391/1-STA	TEJEDA, RICARDO	INMATE COMMISSARY	03:00 PM

Offense	Violation	Final Result
105	Dangerous Disturbances <i>Comments: 2-I/M'S FIGHTING</i>	
205	Gang Or Unauthorized Organization Activity	

Witness Type	Witness ID	Witness Name	Witness Status
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No Witness Requested

RECORD OF PROCEEDINGS

Inmate Drew present, hearing conducted. Drew states he's not guilty of the indicated charge.

BASIS FOR DECISION

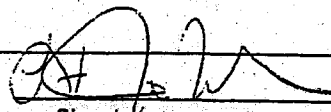
Officer / Intel R. Tejada states in his disciplinary report, at the conclusion of an investigation initiated on 6/11/09, an institutional disciplinary report was issued to inmate Drew, Frank. On 6/11/09 Tejada received information from a confidential informant that a physical altercation had taken place between two inmates assigned to E house cell 523. Confidential informant stated one of these said inmate one was a member of the Gangster Disciples STG, while the cellmate was a member of the Vice Lord STG. Confidential informant stated the fight took place on 6/09/09 and stated after these said inmates got into this physical altercation the Gangster Disciples inmate along with two other members attempted to get other GD members on five gallery to fight with members of the Vice Lords STG. The information that was given to Tejada, E house was placed on level one lock down. Between the dates of 06/11/09 - 06/14/09 the Stateville Correctional Center investigation unit conducted several interviews of inmates in E house pertaining to the alleged physical altercation and possible STG related issues. During the interviews, two separate confidential sources provided information that Drew directed members of the Vice Lords STG in E house to prepare them selves for a possible confrontation with members of the Gangster Disciples as a result of the aforementioned physical altercation. The informant stated Drew was going from gallery to gallery talking to all the Vice Lords in the unit. Inmate Drew stated to the Committee, he works in the barber shop and he never worked in the unit as a gallery worker. He stated the investigators are wrong in their statement stating the informant said he was running from gallery to gallery. Sergeant Palmer, assigned as unit E 7-3 Sgt stated to the Committee, Drew helped out sometime on the 3-11 shift as a cell house worker.

DISCIPLINARY ACTION (Consecutive to any priors)**RECOMMENDED****FINAL****CONTINUE****CONTINUED**

Basis for Discipline:

Signatures**Hearing Committee**

FRANKLIN, JOHNNIE L - Chair Person



07/15/09

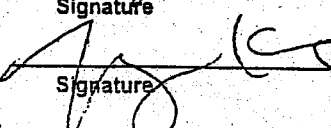
BLK

Signature

Date

Race

KING, JIMMY



07/15/09

BLK

Signature

Date

Race

Recommended Action Approved

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Final Comments: N/A

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OFFICE OF
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FINAL SUMMARY REPORT

(Exhibit # 3)
EX # 3

Name: DREW, FRANK
Hearing Date/Time: 7/15/2009 11:44 AM
Incident Number: 200901391/1 - STA

IDOC Number: K73514
Living Unit: STA-F -01-55
Status: Continued Final

Race: BLK
Orientation Status: N/A

ANTHONY A RAMOS / AAR 7/27/2009

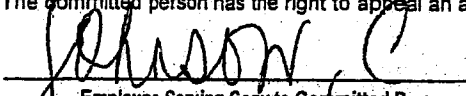
Chief Administrative Officer


Signature

07/27/09

Date

The committed person has the right to appeal an adverse decision through the grievance procedure established by Department Rule 504: Subpart F.


Employee Serving Copy to Committed Person

7/28/09 12:13 via mail
When Served -- Date and Time

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(EXHIBIT # 80)
EX # 4

**CIRCUIT COURT OF COOK COUNTY
ADULT PROBATION DEPARTMENT
INVESTIGATIVE REPORT**

DATE ORDERED: March 15, 1999

DATE DUE: April 13, 1999

DEFENDANT: Frank M. Drew

A/K/A:

ADDRESS: 5040 S. Paulina 1st Fl.
Chicago, Illinois 60609

TELEPHONE: None

VERIFICATION:

DATE OF BIRTH: December 16, 1979

PLACE OF BIRTH: Chicago, Illinois

SEX/RACE: Male/Black

HGHT/WGHT: 5'7"/160 lbs

EYES/HAIR: Brown/Black

U.S. CITIZEN: Yes

DATE ENTERED U.S.A.: N/A

ALIEN REGISTRATION #: N/A

PRETRIAL:

PRESENTENCE: x

JUDGE: Rohrer

LOCATION: Skokie Courthouse

ASST. STATE ATTY: Assigned

DEFENSE ATTY: D. Wiener

INVESTIGATING P.O. T. Moore

I.R. #: None

C.B. #: L10524545

I.S.B. #: IL35943240

F.B.I. #: 847479XA1

S.S. #: Unknown

D.L. #: None

CASE NUMBERS

98CR755801

CHARGE

First Degree Murder

CUSTODY STATUS: Incarcerated - Inmate #9814022 - Division #11

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051

FILED
APR 19 1999
CLERK OF COURT
ARREST
DATE
2/11

Exhibit #
EX #4

BACKGROUND

PRIOR CRIMINAL INVOLVEMENT (CHECK ALL THAT APPLY)

JUVENILE

(x) PROBATION
() INCARCERATION

ADULT

(x) MISDEMEANOR
(x) FELONY
(x) PROBATION
(x) INCARCERATION
() PAROLE

EMPLOYMENT STATUS: Unemployed

INCOME: None

SOURCE: N/A

EDUCATION, HIGHEST LEVEL: Tenth grade

MILITARY: No

BRANCH: N/A

DISCHARGE: N/A

CURRENT MARITAL STATUS: Single

NUMBER OF CHILDREN: None

SUPPORT PAYMENTS: N/A

SUBSTANCE USE:

ALCOHOL: Yes

CHEMICAL: Yes

PSYCHOLOGICAL INFORMATION: Yes

PHYSIOLOGICAL INFORMATION: No

~~GANG INVOLVEMENT:~~

VICTIM IMPACT STATEMENT: Violent crime

OTHER PERTINENT INFORMATION:

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OFFICE OF
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C50

ADJUSTMENT COMMITTEE
FINAL SUMMARY REPORT

Race: BLK

IDOC Number: K73514

Name: DREW, FRANK

Living Unit: STA-F -01-55

Hearing Date/Time: 7/15/2009 11:44 AM

Orientation Status: N/A

Incident Number: 200901391/2 - STA

Status: Final

Date	Ticket #	Incident Officer	Location	Time
6/11/2009	200901391/1-STA	TEJEDA, RICARDO	INMATE COMMISSARY	03:00 PM

Offense	Violation	Final Result
105	Dangerous Disturbances Reduced to 601.105-Attempt Comments: 2-I/M'S FIGHTING	Guilty
205	Gang Or Unauthorized Organization Activity	Guilty

Witness Type	Witness ID	Witness Name	Witness Status
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No Witness Requested

RECORD OF PROCEEDINGS

Offender Drew K73514 present and hearing conducted. Offender states he's not guilty of the indicated charges. Offender states he's not a worker in unit E. He works at the barber shop only so how was he going from gallery to gallery when he was never a cell house worker. Drew states he is not a Vice Lord.

BASIS FOR DECISION

As stated in the report, the reporting officer received information from a confidential informant that a physical altercation had taken place between two offenders in cell E-523. Reporting officer states that during an interview an CI informed him that one of the offenders involved in the altercation is a member of the Gangster Disciple (GD) STG while the other offender was a member of the Vice Lords (VL) STG. Reporting officer states that the CI informed him that after said offenders got into a physical altercation, the GD inmates, along with two other GD members, attempted to get other GD members on five (5) gallery to fight with members of the Vice Lords STG. The CI, who's identity is being withheld due to the safety and security of the institution, has been deemed reliable due to corroborating statements given in the past. During interviews conducted between June 5- June 14, 2009, two separate confidential sources (CS) provided information that offender Drew directed members of the Vice Lords STG in E house to prepare themselves for a possible confrontation with members of the Gangster Disciple STG as a result of the said physical altercation. As stated in the report, CS 1 stated that after the physical altercation took place, offender Drew was going up and down five (5) gallery in E house telling members of the Vice Lords STG to "get on point" in case there was a confrontation between the GD's and the VL's. Also as stated in the report, CS 2 stated that an inmate by the nickname of 'Baby C' came onto five (5) gallery in E house telling members of the Vice Lords "to get on point" in case the Vice Lords had to fight with members of the GD's. According to the offender tracking system, offender Drew is a member of the Conservative Vice Lords STG and also uses the nickname 'Baby C'. Offender Drew was properly identified via the IDOC institutional graph cs system.

DISCIPLINARY ACTION (Consecutive to any priors)

RECOMMENDED

6 Months C Grade
6 Months Segregation
Revoke GCC or SGT 6 Months
6 Months Contact Visits Restriction
Basis for Discipline: nature of incident

FINAL

6 Months C Grade
6 Months Segregation
Revoke GCC or SGT 2 Months
6 Months Contact Visits Restriction

Signatures

Hearing Committee

FRANKLIN, JOHNNIE L - Chairperson

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SEP 22 2009

OFFICE OF
INMATE ISSUES

[Signature]
Signature

07/15/09

Date

BLK

Race

Name: DREW, FRANK IDOC Number: K73514 Race: BLK
Hearing Date/Time: 7/15/2009 11:44 AM Living Unit: STA-F -01-55 Orientation Status: N/A
Incident Number: 200901391/2 - STA Status: Final

Signatures

Hearing Committee

KING, JIMMY 07/15/09 BLK
Signature Date Race
Recommended Action Reduced

Final Comments: N/A

ANTHONY A RAMOS / AAR 8/4/2009
Chief Administrative Officer

08/04/09
Signature Date

The committed person has the right to appeal an adverse decision through the grievance procedure established by Department Rule 504: Support F.

Johnson, C
Employee Serving Copy to Committed Person

8/7/09 9:12 via mail
When Served -- Date and Time

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OFFICE OF
INMATE ISSUES

(Exhibit #6)
EX#6

NAME: Drew

K73514

LOCATION: F155

FROM THE DESK OF:



KEVIN WHITTINGTON
CORRECTIONAL COUNSELOR II

DATE 8-5-09

<u>Investigative Status</u>	<u>6-12-09 to 7-12-09</u>
<u>Temp Confinement</u>	<u>7-13-09 to 7-27-09</u>
<u>Disciplinary Seg</u>	<u>6-12-09 to 12-12-09</u>

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OFFICE OF
INMATE ISSUES

IDOC#: K73514 DREW, FRANK

1 A M STA-F -01-55

11/15/202

-LOC-	ASSIGNMENT DESCRIPTION	T	R	START	PLANNED -END-	TERM	TER -RSN
STA	DISCIPLINARY SEG., LOCKUP	A	Y	6 12 09	12 12 09	12 12 09	CMP
STA	LOSS PRIV, CONTACT VISITS	A	N	6 12 09	12 12 09	12 12 09	CMP
STA	TEMP CONFINEMENT, LOCKUP	T	Y	7 13 09	7 27 09	7 27 09	CMP
STA	INVESTIGATIVE STATUS, LOCKUP	T	Y	6 12 09	7 12 09	7 12 09	CHN
STA	NATION OF ISLAM, PARTICIPANT	T	N	8 18 08	00	6 12 09	SEG
STA	F. HOUSE, BARBER	T	Y	2 11 09	8 11 09	6 11 09	CHN
STA	VOC-BARBERING, STUDENT	T	Y	8 24 08	00	2 10 09	CMP
STA	UNASSIGNED, UTILITY MAN	T	Y	7 1 08	00	8 23 08	CHN
STA	VOC-BARBERING, STUDENT	T	Y	9 11 06	00	6 30 08	NCM
STA	CHAPLAINCY DEPT., NEW LIFE	T	N	3 3 07	00	12 21 07	NCM
STA	LOSS PRIV, COMMISSARY	T	N	5 31 07	6 30 07	6 30 07	CMP
STA	CHRISTIAN, PARTICIPANT	T	N	2 23 06	00	2 25 07	NCM

NEXT KEY DATA: IDOC #: K73514

PF7: PAGE BACK PF8: PAGE FWD

You should not be in possession
of info off a Stake Comp.
like this
Shaw
Bm
9/20/09

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OFFICE OF
INMATE ISSUES

(EXHIBIT #7)

Date: 8-07-2009 **Offender:** Frank Drew **ID#:** K-73514

Present Facility: STATEVILLE **Facility where grievance issue occurred:** STATEVILLE

NATURE OF GRIEVANCE:

☐ Personal Property ☐ Mail Handling ☐ Restoration of Good Time ☐ Disability

☒ Staff Conduct ☐ Dietary ☐ Medical Treatment ☐ HIPAA

☐ Transfer Denial by Facility ☐ Transfer Denial by Transfer Coordinator ☐ Other (specify):

☒ Disciplinary Report: 7-10-2009 ~~STATE~~ STATEVILLE

Note: Protective-Custody Denials may be grieved immediately via the local administration on the protective custody status notification.

Complaints: Attach a copy of any pertinent document (such as a Disciplinary Report, Shakedown Record, etc.) and send to:

Counselor, unless the issue involves discipline, is deemed an emergency, or is subject to direct review by the Administrative Review Board.

Grievance Officer, only if the issue involves discipline at the present facility or issue not resolved by Counselor.

Chief Administrative Officer, only if EMERGENCY grievance.

Administrative Review Board, only if the issue involves transfer denial by the Transfer Coordinator, protective custody, involuntary administration of psychotropic drugs, issues from another facility except personal property issues, or issues not resolved by the Chief Administrative Officer.

Brief Summary of Grievance: I inmate Drew K-73514 was placed in investigative status on 6-12-2009. Per the Stateville handbook 504.50 (C) (3) "THE OFFENDER MAY BE DETAINED IN INVESTIGATIVE STATUS FOR UP TO 30 DAYS FOR RESULTS". Here in this instance, my 30th day of investigative status was 7-11-2009. Yet, I was left under investigative status until the date of 7-13-2009. On 7-13-2009, when I began to complain about being held in investigative status 2 days past my 30th day, an E-House staff member sent a cellhouse worker to my cell stating I was still in the computer as being in investigative status. This was approximately around 11:45am to 12:00pm. Within about an hour after that, I spoke to both E-House Lt. King.

Relief Requested: That this report be terminated and expunged from my record. That I be let out of SEC immediately. That no retaliatory action be brought against me for filing this complaint. Also that I receive \$5,000.00 was awarded.

☐ Check only if this is an EMERGENCY grievance due to a substantial risk of imminent personal injury or other serious or irreparable harm to self.

Offender's Signature: Frank Drew **ID#:** K-73514 **Date:** 8.7.09

(Continue on reverse side if necessary)

Counselor's Response (if applicable)

Date Received: / / ☐ Send directly to Grievance Officer ☐ Outside jurisdiction of this facility. Send to Administrative Review Board, P.O. Box 19277, Springfield, IL 62794-9277

Response:

Print Counselor's Name: _____ Counselor's Signature: _____ Date of Response: / /

EMERGENCY REVIEW

Date Received: / / **Is this determined to be of an emergency nature?** ☐ Yes: expedite emergency grievance ☐ No: an emergency is not substantiated. Offender should submit this grievance in the normal manner.

Chief Administrative Officer's Signature: _____ Date: / /

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OFFICE OF INMATE ISSUES

and F-House Counselor (Whittington, 6+ separate times). They both basically informed me that I should be patient and that they would look into my situation. Neither individual responded to me about this issue.

However, on the following day 7-14-2009 (my 32nd day of investigative status) I was served a disciplinary report that had been back dated to the date of 7-10-2009 by R/O Tejada. 7-10-2009 would have been my 29th day of investigative status. This R/O back dated this ticket to the date of 7-10-2009 only after he was made aware of his negligence due to his failure to release me after the regulated 30 day time period of investigative status. Clearly there was no other way to clean up his failure to release me, seeing as though on the date of 7-13-2009 I was still in the computer under

investigative status. Also to further support this ~~fact~~ fact, in regards to the Disciplinary Action part of the disciplinary report, the Shift Supervisor, Reviewing Officer, and Hearing Investigator all signed off on this report on the date of 7-13-2009. The 32nd day of my investigative status, and the very same day I made two verbal complaints and one formal complaint.

This disciplinary report is there for within the wide scope of procedural default. R/O Tejada had the duty to address this issue within a 30 day time period (from 6-12-2009 thru 7-11-2009) and he failed to do so. He had the duty to release me from investigative status and once again he failed to do so. Instead this R/O back dated this report to try to avoid acknowledging his mistakes. Procedural default applies here due to myself remaining under investigative status 32 days instead of 30.

RELIEF REQUESTED: dollars a day for each day I've sat in seg past the date of 7-11-2009, my 30th day of investigative status.

OFFENDER'S GRIEVANCE

Counselor's Response (If applicable)		
Date Received: _____	<input type="checkbox"/> Send directly to Grievance Officer	<input type="checkbox"/> Outside jurisdiction of this facility. Send to Administrative Review Board, P.O. Box 19277, Springfield, IL 62794-9277
Response: _____ _____ _____ _____		
Print Counselor's Name	Counselor's Signature	Date of Response

Distribution: Master File; Offender